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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 5th March, 2021

+ **W.P.(C) 2950/2021 & CM APPL. 8898/2021**

DR. ANGELA ANN JOSEPH, M.Sc. Ph.D Petitioner

Through: Mr. R Satish, Mr. Mathan Joseph and
Mr. Rajesh Kr, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Ms. Suman, Advocate for R-1 & 2.

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh (Oral)

1. This hearing has been done through hybrid mode (physical and virtual hearing).
2. The Petitioner, in the present case, is a PhD holder in Clinical Psychology from All India Institute of Medical Sciences (*hereinafter*, “*AIIMS*”). She had finished her graduation from the University of Windsor, acquiring the degree of Bachelor of Sciences, and thereafter had obtained a post graduate degree in Masters of Science in Psychology (Clinical) from Christ University, in 2010. Thereafter, she pursued her ‘Doctorate in Clinical Psychology’ and graduated with a PhD degree from AIIMS in July, 2015.
3. The grievance of the Petitioner in the present petition is that the PhD in Clinical Psychology degree from AIIMS has not been notified by the Rehabilitation Council of India under the schedule to Section 11(1) of the Rehabilitation Council of India Act, 1992.
4. Ld. counsel for the Petitioner relies upon the definition of “Clinical Psychologist” under section 2(I)(g)(ii) of the Medical Health Care Act, 2017 which merely requires a recognised qualification in Clinical Psychology, however the said qualification needs to be approved and recognised by the

Rehabilitation Council of India. Hence the prayer of the Petitioner is that the Respondent No. 3- Rehabilitation Council of India, ought to notify the PhD degree in Clinical Psychology from AIIMS in its schedule to section 11(1) of the Rehabilitation Council of India Act, and recognise the same.

5. Issue notice to the Respondents. Ms. Suman, Id. Counsel, accepts notice on behalf of Respondent Nos.1 and 2. Upon notice being served upon Respondent No.3 and 4, they shall place their affidavits on record, as to their stand on this issue, inasmuch as the perusal of the schedule would reveal that even diploma courses are being recognised by the Rehabilitation Council of India, and in the absence of a valid reason, it would be quite ironic if the PhD degree in Clinical Psychology from AIIMS, is not recognized in the said Schedule.

6. Let counter affidavits be placed on record within four weeks. Rejoinder thereto, if any be filed within two weeks thereafter.

7. In the meantime, since on 27th October, 2020, the Petitioner has also made a representation to the Government and to the Rehabilitation Council of India, which is annexed with the present writ petition, it is directed that a decision may be taken by the Ministry of Health, as also the Rehabilitation Council of India, on the said representation within 30 days. A copy of the decision taken be also placed on record along with the counter affidavit before the next date.

8. List before Registrar for completion of pleadings on 27th April, 2021. List before Court on 7th May 2021.

PRATHIBA M. SINGH
JUDGE

MARCH 5, 2021
dj/AK